



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3742

In re

Patent Application of

Kenneth A. Bradenbaugh

Application No. 10/808,686

Confirmation No.: 6069

Filed: March 25, 2004

Examiner: Thor S. Campbell

"WATER HEATER AND METHOD OF  
CONTROLLING THE SAME"

I, Holly Rhodes, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Holly Rhodes  
Signature

11/27/06  
Date of Signature

**TERMINAL DISCLAIMER TO OBTAIN DOUBLE PATENTING REJECTION  
OVER A PRIOR PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby represent that I am the owner of the entire interest in the above-identified application (hereinafter "said Application"). I hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on said Application, beyond the expiration date of the full statutory term of U.S. Patent No. 6,633,726 (hereinafter "said U.S. Patent"). I hereby agree that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to said U.S. Patent. This agreement shall run with any patent granted on said Application and be binding upon the grantee, its successors or assigns. In making the above disclaimer, I do not disclaim any terminal part of the patent granted on said Application prior to

the expiration date of the full statutory term of said U.S. Patent, in the event that said U.S. Patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11-17-2006

By Kenneth A. Bradenbaugh  
Kenneth A. Bradenbaugh

Attorney Docket No. 010121-9828-02

cc: Docketing



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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Terminal Disclaimer for the above-titled patent application along with a check in the amount of \$130.00 in payment of the fee required under 37 CFR 1.20(d).

Charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the above fee. A duplicate of this sheet is enclosed.

Respectfully submitted,

Sheldon L. Wolfe  
Sheldon L. Wolfe  
Reg. No. 43,996

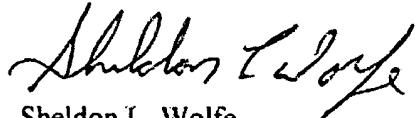
File No. 010121-9828-02  
Michael Best & Friedrich LLP  
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Suite 3300  
Milwaukee, Wisconsin 53202-4108  
414.271.6560

Also enclosed are a Request for Extension of Time and a check for \$120.00 for the One-Month Extension of Time.

Also enclosed are a Terminal Disclaimer and a check for \$120.00 for the Terminal Disclaimer.

Charge or credit Deposit Account No. 13-3080 with any shortage or overpayment of the fees associated with this communication. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Sheldon L. Wolfe  
Reg. No. 43,996

File No. 010121-9828-02

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